*Tells the Facts and Names the Names*

# CounterPunch

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*Labor's Changing Landscape*

# The Blessings of Corruption

Corruption in America is often the germ of change and even progress. Take the case of labor. There's been much handwringing lately from well-meaning types in the liberal press over recent scandals supposedly throwing a dark cloud over the bright promise of labor in the Sweeney era. But what has really been their consequence?

The two biggest scandals of late have both occurred in New York. One saw the sensational collapse of Stanley Hill, leader of District 37, a cluster of city employee unions, under the institutional umbrella of the American Federation of State, County and Municipal Employees. Hill had been a great supporter of Rudolf Giuliani's welfare "reform" program, which has had the efffect of replacing thousands of city workers with virtual serfs working for the pathetic wage "packet" of their welfare checks.

It took Hill an astonishingly long time to realize that this press ganging of welfare people was cutting into his dues base, and finally he called for a moratorium. Even so, he continued his fervent public support of Giuliani, embracing him on platforms in the latter's 1997 re-election 1997. For years workers in New York, particularly Hill's union have complained furiously about corruption and Hill's spineless posture in contract negotiations.

At last came the cleansing flush of scandal, which disclosed that Hill and his lieutenants had fixed the latest contract vote to make sure members would not reject a Giuliani-Hill deal, a pact involving a wage freeze and only miniscule increases twoards the end of the contract.

Ballot-fixing was only part of the disclosures of corruption. Local presidents protected by Hill were found to have been up to their armpits in every imaginable scam, making money on Thanksgiving turkey deals, holding parties that each cost more than the average yearly wage of a city worker, crushing dissent and generally cavorting like Renaissance princes. Hill himself took $250,000 a year for his annual salary and he and his cronies had their Amercian Express card accounts paid off by the union.

A couple of years back some college kids brought to New York to do organizing work as part of Union Summer were taken down to meet the great man of New York labor. During the encounter one of the young volunteers asked Hill, "Why does my father, a DC 37 member, make $27,000 a year and you make $250,000 a year?" Hill didn't bat an eye. "I guess some work is just more important than other work."

Finally the torrent of scandal sluicing out of District 37 was too embarassing for AFSCME leader Gerald McEntee and reluctantly he stirred himself to action, suspending Hill and putting DC 37 into trusteeship. On February 17, Hill announced his retirement, walking away with a payout of nearly a quarter million dollars. A reformer in DC 37 told CounterPunch: "Stanley's either got to start spending this dough real fast or pack it into his legal defense fund, because the scuttlebut's out about an indictment on the way."

Change now brightens the horizon. A large band of dissidents is now face-to-face with opportunity. Can they contest and win local leadership? Can they fight city efforts to privatize public services, and crucially, can they change New York's perception that the problems with city services in New York stem from the inertia and greed of union bosses?

But even Hill's corruption was as nothing next to that of Gus Bevona, president

(**Corruption** *continued on page 6)*

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# Our Little Secret

## Hi, I'm George!

A fine example of George Bush's perfect manners offered itself during the funeral of King Hussein. At the wake in Amman for the Jordanian monarch Bush spotted a young man standing at the back of the throng and clearly out of his element. Bush strolled over, stuck out his hand and introduced himself. It turned out the young man was Muammar Qaddafi's son, whose memories of the Reagan/Bush air raid that killed his sister are doubtless still fresh. The encounter was markedly brief.

## Dombeck's Sleights

In the final stretch of the impeachment trial, when the White House was eager to remind liberals that, bottom line, Bill Clinton is their guy, came a couple of headline-grabbing environmental initiatives. First, on February 3, Mike Dombeck, chief of the US Forest Service, used the occasion of a speech at the University of Montana to announce that President Clinton was issuing an executive order banning all new mining claims along the Rocky Mountain Front. The Front is a 100-mile stretch of terrain from Helena, Montana, north and west to the Canadian border.

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To the casual eye, the executive order advertised by Dombeck looked like big news, heartening to greens. The terrain in question is one of the most significant wildlife areas in the country, providing particularly important habitat to the grizzly. It has even been called the American Serengeti. Dombeck's order got a clamorous reception from environmental reporters and editorial writers who lost no time in declaring that this was evidence of a whole new, nature-friendly outlook at the Forest Service, previously regarded as being the servant of US timber and mining companies.

Then, on February 11, on the very eve of the impeachment vote, Dombeck unleashed a second initiative. He said that Clinton was signing another executive order that would place a moratorium on the construction of any new logging roads in virgin stretches of the national forests. In all, some 33 million acres would remain safe from the bulldozers.

**The order is confined to the Rocky Mountain Front, where there's nothing much to mine except limestone.**

Most Americans probably don't know that the US Forest Service has ranked for decades as one of the world's biggest construction enterprises. There are already more than 430,000 miles of roads in the national forests, roughly eight times as much as is contained in the Interstate system. Where's there's a forest road, sooner rather than later there's a chainsaw.

Dombeck's second bulletin once again put the Clinton administration on the front page for its bold stance. The New York Times' environmental reporter went so far as to hail the order as "decisively shifting forest policy towards conservation".

But with Clinton's environmental initiatives, as with his grand jury testimony in the Lewinsky affair, it's necessary to parse every line, scrutinize every clause.

So far as the mining initiative is concerned, Clinton's executive order would indeed have been a bold new step if it had applied to the west side of the Rockies, where gold and silver companies have been gouging enormous pits in public lands and a leaving toxic desert of cyanide-riddled waste. But the order is confined to the Rocky Mountain Front, where there's nothing much to mine except limestone.

The biggest threat on the Rocky Mountain Front right now is one of the Clinton administration's own making. In the summer of 1996 the administration paid the Noranda company, a Canadian mining giant, $40 million for its claim near Yellowstone National Park. As some predicted at the time, this set a terrible precedent whereby companies could engage in a kind of enviro hostage-taking: stake a claim of dubious worth, bellow the word "takings" and wait for the government to pony up. Any smart prospector could figure out where such sensitive areas are, stake claims costing as little as $2.50 an acre under the 1872 Mining Act, and wait for the manna to fall.

Almost immediately after Clinton announced his Noranda deal from the photogenic vantage point of a Yellowstone meadow in July of 1996, a Wyoming company staked 120 mining claims along the Rocky Mountain Front. So Dombeck's mining ban along the Front is a sad footnote to a piece of Clintonesque folly nearly three years ago. Among those urging the virtues of this executive order on Clinton was one of the mining industry's dearest friends in Congress, Senator Max Baucus, whose family has huge mining interests on the west side of the Rockies.

And, alas, under similar scrutiny, the ban on new forest roads is less than impressive. The executive order specifically exempts the most lucrative timber lands in the national forest system. These are the coastal forests of northern California and Oregon, and the Shasta-Trinity national forest in the Sierra Nevada; forests in the Cascade Range running through Oregon and Washington and those on the Olympic peninsula; finally, the 16 million acre Tongass national forest in Alaska. Altogether, about 20 million acres of roadless public forest land are exempted from the executive order and these are arguably the most ecologically important forest lands of all.

These 20 million acres are now scheduled for imminent predation by the timber companies, courtesy of Dombeck and his Forest Service. The fate of the Tongass augures to be particularly grim. The Forest Service plans to double the amount of logging in this pristine rain forest from the trees cut on Clinton's say-so in 1996, more than three times the rate federal biologist say is sustainable. To haul the timber out,

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the Forest Service will build more than 1,100 miles of road in Tongass wild lands.

Overall, national green leaders were highly complimentary to Dombeck. Two Republican senators from the Northwest, Ted Stevens of Alaska and Slade Gorton of Washington may have been expressing their appreciation when they broke Republican ranks and voted for acquittal on the perjury count in Clinton's impeachment.

It remained for Rep Merrill Cook of Utah, a Republican from Utah, to strike a note of realism: "The policy is a deep disappointment. It fails to protect thousands of acres in my state from unnecessary, harmful and costly road construction. It hurts our environment and wastes hundreds of millions of tax-payer dollars which I think is unconscionable. It also continues the shameful practice of using taxpayer dollars to subsidize wealthy corporations."

## BYE-BYE MIRANDA

There are two ways to look at Bill Clinton's persecution, both of them valid, one inspiring and the other dismal. The inspiring truth about the long scandal, terminated by senatorial acquittal of the president by a simple majority on both counts, is that puritanism was set back. This is truly a glorious victory. Puritanism runs through America with as dark a trail of misery as in other societies cursed with its oppressive shadow.

The dismal aspect to Clinton's travails concerns the rise of the prosecutorial state, whose shadow ordinary people dislike as much as they do puritans.

We wrote about the rise of the prosecutorial state here a couple of weeks ago, and how Clinton's travails at the hands of Starr and the House managers offer lurid illustrations of this same state in action. Judge Richard Posner said in 1995 that the US "criminalizes more conduct than most, maybe than any, non-Islamic nations". The very day that the US Senate acquitted Bill Clinton, came news that on February 8 the US Circuit Court of Appeals for the Fourth Circuit repealed the Miranda Rule, finding it had been superseded by an act of Congress in 1968. No longer are the Miranda warning and the defendant's waiver required to use the defendant's statements against him in court. Now the test is strictly one of "voluntariness". But of course the US Supreme Court required the Miranda warning in the mid-1960s precisely because of the murky nature of "voluntariness". We live in an age when death squads of cops roam the streets of major cities, armed with M-9 machine pistols, ready to discharge them at a moment's notice into the bodies of people reacting with insufficient or excessive speed to commands to raise their hands. These same cops will of course claim that suspects "voluntarily" agreed to make a statement, presumably at the same moment that their heads came "voluntarily" into contact with a policeman's bludgeon.

The Fourth Circuit is infamously cromagnon in its outlook. On November 17, 1998, it held that it was not reversible error for a trial judge to tell a jury that he—the judge—believed the defendant was lying and that he—the judge—believed the defendant was guilty. The Fourth Circuit said this might have been error, but was not reversible error, for the trial judge also told the jury they were the final judges of credibility and they should form their own view of the evidence. So the error was harmless.

**Fourth Circuit madness: OK for judge to advise jury defendant is lying and guilty.**

These are the two threads running through the entire Lewinsky scandal and impeachment. The papers following Clinton's acquittal were full of trite phrases about the "trauma" of the scandal and the harrowing protraction of the "national nightmare". It's been nothing of the sort. The scandal was a delight and just when it was beginning to outstay its welcome, the curtain has fallen.

## HIT THE ROAD, JACK

Dear oh dear, has Jack Valenti bit off more than he can chew—again?

Last time around it was the French who he fought with during the GATT round. Hollywood's premier lobbyist insisted that the French surrender their complex system of film industry subsidies and import controls which have nurtured such geniuses as Jean Luc Godard, Francois Truffaut and Jacques Rivette. Valenti claimed such protections were inhibiting American 'artistic freedom'.

Valenti failed and has been licking his wounds ever since, picking on people his own size like the poor New York street traders who flog pirated copies of Titanic and Armageddon for pennies. But now Valenti faces a more formidable foe: the Irish Republican Army.

Valenti's organization, the Motion Picture Association, charges that ever since the peace process took shape in northern Ireland, police north and south of the border have been very lax about stamping out video piracy, which was a major source of revenue for both the IRA and the Loyalist paramilitaries.

Time was that an RUC discovery of an illegal video tape factory was as great an accomplishment as finding an IRA arms dump. No more. The authorities are more likely to let the paramilitaries look after themselves now, with the proviso that they keep to their ceasefires. And that has been a boon to the trade in pirated videos.

This can only be good news for British and Irish consumers infuriated by the inflated price of tickets at the movie theaters. Pirate videos originating from northern Ireland are of remarkably good quality, compared to the dreadful state of American pirates that are often camcordered affairs. When the British got notoriously censorious in the mid-80s, banning horror movies like Evil Dead, Driller Killer and I Spit on Your Grave, aficionados could purchase copies – no questions asked – from a variety of suppliers supplied by paramilitary intermediaries, and the quality was often excellent.

Valenti should be careful. Are losses of $15 million a year really worth complaining about compared to the pain of a visit from the Lads?

## HITCHENS' EMPTY BOAST

Amidst his rampages through the talk shows, justifying his snitching on Sidney Blumenthal, we were surprised to hear Christopher Hitchens claim that he had been present at the Arkansas execution of Ricky Ray Rector in early 1992, a black man of severely diminished capacity sacrificed on the altar of Clinton's ambitions. To CNN's Bernard Shaw on February 9, Hitchens cried—amid abuse of Clinton—that he saw him execute Rector. So far as we remember the first journalist from outside Arkansas to bring tidings of what Bill would do to get elected was Mike Tomasky. Hitchens, on his own later account, witnessed his first execution in Missouri some years later. No doubt Blumenthal's lawyers will, if things comes to it, home in on this putative example of impaired memory. ■

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*Tainted Plasma Traced to Arkansas Prison*

# Bill Clinton's Blood Trails

The year Bill Clinton became governor of Arkansas, the Arkansas state prison board awarded a hefty contract to a Little Rock company called Health Management Associates or HMA. The company got $3 million a year to run medical services for the state's awful prison system, which had been excoriated in a ruling by the US Supreme Court as an "evil place run by some evil men".

HMA not only made money from providing medical care to prisoners, but it also started a profitable side venture: blood mining. The company paid prisoners $7 a pint to have their blood drawn. HMA then sold the blood on the international plasma market for $50 a pint, going 50/50 with the Arkansas Department of Corrections. Since Arkansas is one of the few states that does not pay prisoners for their labor, inmates were frequent donors at the so-called "blood clinic". Hundreds of prisoners sold as much as two pints a week to HMA. The blood was then sold to pharmaceutical companies, such as Bayer and Baxter International; to blood banks, such as the Red Cross; and to so-called blood fractionizers, which transform the blood into medicines for hemophiliacs.

HMA's contract with the Arkansas Department of Corrections and its entry into the blood market came at the same time as the rise of AIDS in the United States. Regardless, HMA did not screen the torrents of prison blood, even after the Food and Drug Administration issued special alerts about the higher incidents of AIDS and hepatitis in prison populations. When American drug companies and blood fractionizers stopped buying blood taken from prisoners in the early 1980s, HMA turned to the international blood market, selling to companies in Italy, France, Spain and Japan. But the prime buyer of HMA's tainted blood, largely drawn from prisoners at Cummings Unit in Grady, Arkansas, was a notorious Canadian firm, Continental Pharma Cryosan Ltd. Cryosan had a shady reputation in the medical industry. It had been nabbed importing blood taken from Russian cadavers and relabeled as from Swedish volunteers. The company also marketed blood taken from Haitian slums.

Cryosan passed the tainted Arkansas prison blood on to the Canadian Red Cross and European and Asian companies. The blood was recalled in 1983 after the contamination was discovered by the FDA. But less than one-sixth of the blood was recovered. In Canada alone more than 7,000 people have died from receiving contaminated blood, many of them hemophiliacs. More than 4,000 of these died of AIDS. Another 40,000 people in Canada have contracted various forms of hepatitis. According to one of the attorneys for the plaintiffs, David Harvey, a $300 million class action suit will be filed on behalf of the Canadian victims. The suit will name Clinton and officials at the Arkansas Department of Corrections as defendants.

**The company had been nabbed importing blood taken from Russian cadavers and relabeled as from Swedish volunteers.**

Cryosan's former president, Ted Hecht, doesn't believe his company did anything wrong. "Don't look upon me as a villain in the piece. We supplied US-government licensed product and never denied its origins", the blood broker told the Ottawa News, which first broke the story in September. "I never forced anyone to buy my product. If they didn't want it, they didn't have to buy it. I didn't shove it down their throats."

Hecht may have a point. His plasma packages were labeled, ADC, Grady, Arkansas. But the Arkansas Department of Corrections and its contractor, HMA, have few excuses. They oversaw a prison blood-drawing operation that contaminated prisoners and let loose on the global blood market thousands of pints of plasma they had good reason to believe may have been contaminated with lethal diseases.

Dr. Francis "Bud" Henderson started HMA in the 1970s. As the company began to expand, he brought in a Little Rock banker named Leonard Dunn to run the firm, while he served as its medical director. Dunn was a political ally and friend of the Clintons. He was appointed by Clinton to sit on the Arkansas Industrial Development Commission and served as finance chair of Clinton's 1990 gubernatorial campaign. Later that same year, Dunn bought the famous Madison Guaranty Savings and Loan from Clinton's business partner James McDougal. Dunn now serves as chief of staff to Arkansas' Lt. Governor, Winthrop Rockefeller.

Dunn's ties to Clinton served HMA well after the company came under scrutiny for both abusive treatment of prison patients and shoddy management of the blood center. In 1983, the Food and Drug Administration stripped HMA of its license to sell blood after it found that the company had failed to exclude donors that had tested positively for hepatitis B, often a precursor of HIV.

A state police report compiled as part of an investigation into the company's operations at the Cummings Unit noted that the FDA pulled the company's license to sell blood "for falsifying records and shipping hot blood". The report goes on to say that "the suspension was for collecting and shipping plasma which had been collected from donors with a history of positive tests for [hepatitis B]...the violations were directly related to using inmate labor in the record and donor reject list."

Dunn and the Arkansas Department of Corrections convinced the FDA that the fault lay with a prison guard who was taking kickbacks from prisoners in order to let them get back into the blood trade. The license was quickly restored and tainted blood once more began to flow.

That didn't end the investigations, however. HMA's contract was up for renewal by the prison board and its slip-

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shod record posed a big problem for the firm. When investigators began probing the company's practices, Dunn repeatedly boasted of his ties to Bill Clinton. "Mr. Dunn spoke openly and freely and explained to these investigators that he was the financial portion of the corporation as well as its political arm", investigator Sam Probasco noted in his report. "Dunn advised that he was close to Gov. Clinton as well as the majority of state politicians presently in office."

The allegations against the company involved numerous health and safety violations, failure to test for diseases such as hepatitis and syphilis, bad bookkeeping and outright falsification of records. HMA officials maintained the problems were minor and that the blood program was actually driven by a need to give the prisoners "pocket money" to buy cigarettes and other personal items. "The inmates had no way to earn hard dollars except by selling plasma," said Dr. Henderson. "The prison population was fairly restless anyway."

Of course, many of the prisoners paid a heavy price for the miserly $7 they got for each pint. It seems that even with the onset of AIDS, the Cummings blood center often skimped, drawing blood from multiple patients with the same needle. Several former prisoners at Cummings are prepared to file suit, charging that they contracted hepatitis and AIDS from dirty needles used in the blood program.

Another incident involved a botched operation in which an HMA doctor unnecessarily amputated a prisoner's leg at the hip. According to Michael Galster, a prosthetics specialist who worked at the Cummings Unit at the time, HMA hired Vince Foster, then with the Rose Law firm, to help squash the investigation. Galster says that Foster approached Galster with an offer to build the prisoner an artificial leg in the hope that it prevent the prisoner from moving forward with a legal claim against the company.

"The purpose of his being there was to convince me to take this, smooth it over and everybody would be happy", said Galster. "I refused him. He said, 'I understand your predicament. But this could make it difficult for you to get a future state contract.'"

Although Galster wouldn't go along, Foster seems to have accomplished his task. The state's internal investigation of HMA cleared the company of any wrongdoing. But an independent review by the Institute for Law and Policy Planning, a California firm, concluded that HMA's work in the prisons was extremely deficient. The report cited more than 40 contract violations and was replete with instances of negligent care of patients and in its handling of the blood center. Much of the blame for the problem was placed on another Clinton pal, Art Lockhart, head of the Arkansas Department of Corrections.

When the independent review came out, pressure mounted for Clinton to fire Lockhart. Clinton swiftly nixed the idea, telling reporters that he didn't believe the allegations were serious enough for him to "ask Mr. Lockhart to resign".

**Several former prisoners at Cummings are prepared to file suit, charging that they contracted hepatitis and AIDS from dirty needles used in the blood program.**

The Arkansas State police launched a half-hearted investigation into allegations that HMA was awarded a renewal of its contract after bribing members of the state prison board. The investigation soon focused on an attorney named Richard Mays, a close friend of Bill and Hillary Clinton. Mays was given at least $25,000 by HMA to act as an "ombudsman" for the company, a position that apparently carried no job description and no responsibilities.

Mays, who served as a vice-president for finance at the DNC, has been at the heart of several Clinton scandals. In 1996, he was credited with securing Little Rock restaurateur Charlie Trie's $100,000 contribution to the Democratic Party's coffers. He also pops up in the Whitewater probe, where he tried to stave off the federal prosecution of David Hale. Mays and his week have been frequent visitors to the White House, including an overnight stay in the Lincoln bedroom. Dunn claims that Mays was recommended to him by Clinton and prison board chairman and Clinton intimate, Woodson Walker.

In 1986, HMA's contract was revoked. But that didn't stop the Arkansas Department of Corrections' prison blood program. A new company, Pine Bluff Biologicals, took over the blood center and expanded it to include two other prison units. The new company's safety record turned out to be about dismal as HMA's. Screening for AIDs was particularly lax. Pine Bluffs president Jimmy Lord dismissed such concerns and suggested that AIDS was not a problem in Arkansas. "If anyone got caught in a homosexual act," Lords recently told Arkansas reporter Suzi Parker, "we took them off the roster."

By the late 1980s, Arkansas was the only prison in the United States still running a blood program. In 1991, a reporter for the Arkansas Times asked John Byus, medical director of the Arkansas Corrections Department, how much longer they planned to continue the operation: "We plan to stick with it till the last day, to the last drop we're able to sell." The program stayed in operation until Bill Clinton moved to Washington. It was finally shut down in 1993 by his successor, Jim "Guy" Tucker. ■


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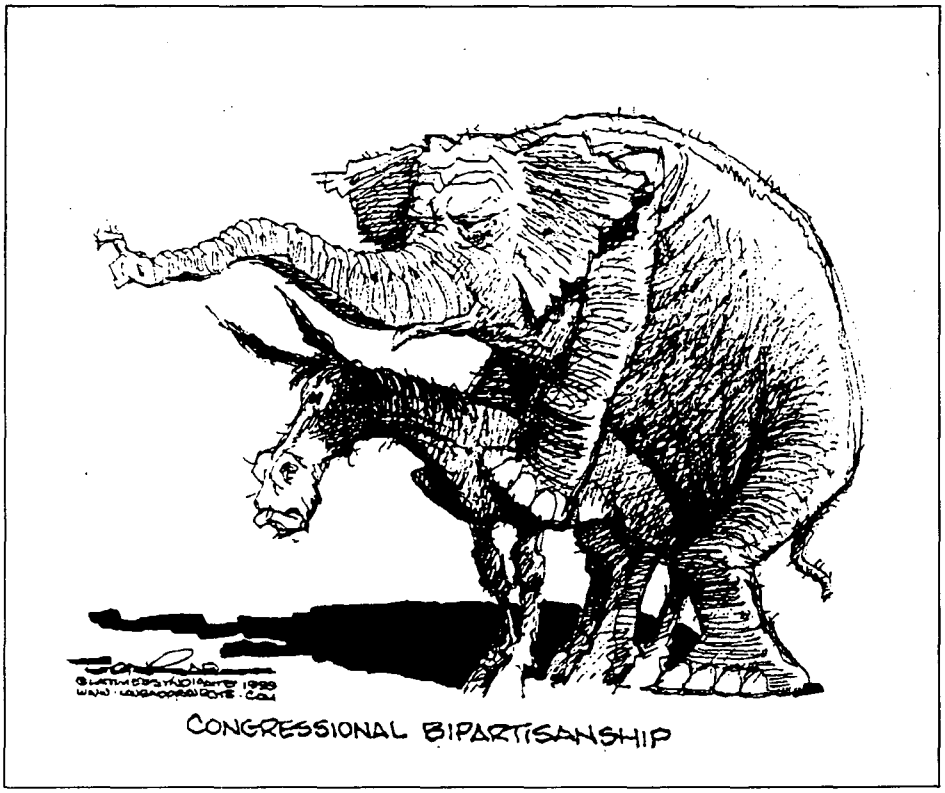
of Service Employees' Local 32B—32J. Bevona's megalomania expressed itself in square footage of marble and rosewood. His lower Manhattan penthouse suite in union hq was thrown open to his members after he'd been evicted by his longtime foe, Andy Stern, president of SEIU. With mouths agape, Bevona's ill-paid members toured his palatial quarters, which included not only slabs of travertine but also enough technical gimmickry to refit the Starship Enterprise. With a flick of the button, Bevona could turn on any of ten televisions, allowing him to spy on the activities of his subordinates. With the flick of another, he could drop a curtain of metal to shield himself away from any subordinate driven over the edge.

A few years ago Bevona fixed an election against a challenger for the Local's presidency with such brutal, mob-fragrant efficiency that any possible challengers thought better of it. Any hardy person who actually threw his hat in the ring against Bevona had a terrifying time of it. It was assumed Bavona would die in office.

There were many grotesque spectacles associated with his suzerainty. A few years ago Bevona called a strike of janitors in midwinter. The frozen picketers, many of whom had no idea why they were on strike, tried to patrol up and down in front of the buildings, lashed by wind and hail. Sometimes they would see an enormous limo pull up and a window slide down, as the rotund and warmly swaddled Bevona, known around SEIU as "Jabba the Hut", tossed out a quiet word of encouragement. In that particular dispute, Bevona strong-armed the frozen members into accepting a deal only infinitesimally better than what they'd been offered in the first place. For this and other kindred reasons Bevona lost 20,000 members in recent years, a factor contributing to his downfall, since Andy Stern hopes to succeed John Sweeney as head of the AFL-CIO and would scarcely be in an advantageous position if his membership is shrinking.

Thus far there's no sign of an organized reform group to take over Bevona's realm. Stern, like McEntee, is known as a top-down leader, edgy at the prospect of possibly unruly upsurges from the ranks. But considering that a few short months ago change seemed unimaginable, that Bavona's steel curtain could ever be pierced, we are in a bracing new time. The janitors, so long held down by Bevona and sunk in despair, certainly don't think a shadow has fallen across their union. They're nervous, but elated.

JoAnn Wypijewski




*The great Los Angeles-based cartoonist Paul Conrad said it all with this comment, which his syndicate declined to circulate. Conrad tells us of another cartoon also suppressed, with Paula Jones looking at Michealangelo's David, crying "It's him, it's him! I'd know those distinguishing marks anywhere." Every time the word "bipartisanship" is invoked, political peril looms ever more large.*

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***Inside: The Bloodsuckers from Arkansas***

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